



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 7118

**\*HB0648607118SR0\***

Offered by:

SEN. MCLACHLAN, 24<sup>th</sup> Dist.

To: Subst. House Bill No. **6486**

File No. 630

Cal. No. 570

### ***"AN ACT CONCERNING CHANGES OF ADDRESSES FOR ELECTORS."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 9-369b of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2013*):

5 (a) Except as provided in subsection (b) of this section, any  
6 municipality may, by vote of its legislative body, authorize the  
7 preparation and printing of concise explanatory texts of local  
8 proposals or questions approved for submission to the electors of a  
9 municipality at a referendum. In a municipality that has a town  
10 meeting as its legislative body, the board of selectmen shall, by  
11 majority vote, determine whether to authorize an explanatory text or  
12 the dissemination of other neutral printed material. Thereafter, each  
13 such explanatory text shall be prepared by the municipal clerk, subject  
14 to the approval of the municipal attorney, and shall specify the intent  
15 and purpose of each such proposal or question. Such text shall not  
16 advocate either the approval or disapproval of the proposal or

17 question. The municipal clerk shall cause such question or proposal  
18 and such explanatory text to be printed in sufficient supply for public  
19 distribution and shall also provide for the printing of such  
20 explanations of proposals or questions on posters of a size to be  
21 determined by said clerk. At least three such posters shall be posted at  
22 each polling place at which electors will be voting on such proposals or  
23 questions. Any posters printed in excess of the number required by  
24 this section to be posted may be displayed by said clerk at the clerk's  
25 discretion at locations which are frequented by the public. The  
26 explanatory text shall also be furnished to each absentee ballot  
27 applicant pursuant to subsection (d) of section 9-140. Except as  
28 provided in subsection (d) of this section, no expenditure of state or  
29 municipal funds shall be made to influence any person to vote for  
30 approval or disapproval of any such proposal or question. Any  
31 municipality may, by vote of its legislative body and subject to the  
32 approval of its municipal attorney, authorize the preparation and  
33 printing of materials concerning any such proposal or question in  
34 addition to the explanatory text if such materials do not advocate the  
35 approval or disapproval of the proposal or question. This subsection  
36 shall not apply to a written, printed or typed summary of an official's  
37 views on a proposal or question, which is prepared for any news  
38 medium or which is not distributed with public funds to a member of  
39 the public except upon request of such member.

40 (b) For any referendum called for by a regional school district, the  
41 regional board of education shall authorize the preparation and  
42 printing of concise explanatory texts of proposals or questions  
43 approved for submission to the electors of a municipality at a  
44 referendum. The regional school board of education's secretary shall  
45 prepare each such explanatory text, subject to the approval of the  
46 regional school board of education's counsel, and shall undertake any  
47 other duty of a municipal clerk, as described in subsection (a) of this  
48 section.

49 (c) (1) For purposes of this subsection, "community notification

50 system" means an alert system that permits a resident of a  
51 municipality to opt to be notified by the municipality via electronic  
52 mail, text, telephone or other electronic or automated means of  
53 significant community events or news.

54 (2) Upon the request of the chief elected official of a municipality, a  
55 municipality may use a community notification system to send notices  
56 informing residents of an upcoming referendum to all residents  
57 enrolled in such system. Such notice shall be limited to (A) the time  
58 and location of such referendum, (B) a plain statement of the proposal  
59 or question to be voted upon, and (C) if applicable, the explanatory  
60 text approved in accordance with subsection (a) of this section. Any  
61 such notice shall not advocate the approval or disapproval of the  
62 proposal or question to be decided or attempt to influence the outcome  
63 of the referendum.

64 (3) Other than a notice authorized by subdivision (2) of this  
65 subsection, no municipality or municipal agency, board, commission,  
66 department, employee or elected or appointed official may use  
67 municipal property, personnel or other municipal resources to send  
68 notices to residents of the municipality informing, reminding or urging  
69 participation in a referendum using electronic mail, text, telephone or  
70 other electronic or automated means. Nothing in this subdivision shall  
71 be construed to prohibit a municipal official or employee from (A)  
72 sending a ballot or other communication electronically as authorized  
73 under a specific provision of the general statutes, or (B) responding to  
74 questions or requests for information received from individual  
75 residents of the municipality as long as such response does not  
76 advocate the approval or disapproval of the proposal or question to be  
77 decided or attempt to influence the outcome of the referendum.

78 [(c)] (d) The State Elections Enforcement Commission, after  
79 providing an opportunity for a hearing in accordance with chapter 54,  
80 may impose a civil penalty on any person who violates subsection (a),  
81 [or] (b) or (c) of this section by authorizing an expenditure of state or  
82 municipal funds for a purpose which is prohibited by subsection (a) or

83 (c) of this section. The amount of any such civil penalty shall not  
 84 exceed twice the amount of the improper expenditure or one thousand  
 85 dollars, whichever is greater. In the case of failure to pay any such  
 86 penalty imposed under this subsection within thirty days of written  
 87 notice sent by certified or registered mail to such person, the superior  
 88 court for the judicial district of Hartford, on application of the  
 89 commission, may issue an order requiring such person to pay the  
 90 penalty imposed. Notwithstanding the provisions of sections 5-141d,  
 91 7-101a and 7-465, any other provision of the general statutes, and any  
 92 provision of any special act or charter, no state or municipal officer or  
 93 employee shall be indemnified or reimbursed by the state or a  
 94 municipality for a civil penalty imposed under this subsection.

95 ~~[(d)]~~ (e) Any municipality may provide, by ordinance, for the  
 96 preparation and printing of concise summaries of arguments in favor  
 97 of, and arguments opposed to, local proposals or questions approved  
 98 for submission to the electors of a municipality at a referendum for  
 99 which explanatory texts are prepared under subsection (a) or (b) of this  
 100 section. Any such ordinance shall provide for the establishment or  
 101 designation of a committee to prepare such summaries, in accordance  
 102 with procedures set forth in said ordinance. The members of said  
 103 committee shall be representatives of various viewpoints concerning  
 104 such local proposals or questions. The committee shall provide an  
 105 opportunity for public comment on such summaries to the extent  
 106 practicable. Such summaries shall be approved by vote of the  
 107 legislative body of the municipality, or any other municipal body  
 108 designated by the ordinance, and shall be posted and distributed in the  
 109 same manner as explanatory texts under subsection (a) of this section.  
 110 Each summary shall contain language clearly stating that the printing  
 111 of the summary does not constitute an endorsement by or represent  
 112 the official position of the municipality."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2013	9-369b

